

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ERVIN & SMITH ADVERTISING AND
PUBLIC RELATIONS, INC.,

Case No. 8:08-cv-459

Plaintiff,

v.

WILLIAM ERVIN, THOMAS ERVIN,
LYNNETTE ROXBURGH, DAVID
ZEMUNSKI, and BTM, INC., d/b/a ERVIN
GROUP,

ORDER

Defendants.

This matter is before the Court on the motion of Ervin & Smith Advertising & Public Relations, Inc. for leave to file an amended complaint (Doc. 39). Pursuant to Fed. R. Civ. P. 15(a), and upon the representation that the defendants do not object,

IT IS ORDERED that the motion (Doc. 39) is granted. Plaintiff shall file and serve the amended pleading no later than **March 5, 2009**. Opposing parties shall respond within the time allowed by Fed. R. Civ. P. 15.

DATED February 25, 2009.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**